IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT APPEAL NO : 1516 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 13/09/2004 in WP No: 16310 OF 2004 on the file of the High Court.)

Between:

N. Jagga Reddy S/o Malla Reddy
R/o 2-10-196, Jyothingar, Karimnagar

..... APPELLANT

AND

1 The District Collector, Panchayat, Karimnagar District
2 District Panchayat Officer, Karimnagar, Karimnagar District

....RESPONDENTS

Counsel for the Appellant: MR.B.VIJAYSEN REDDY

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following:

J U D G M E N T:(Per Hon'ble Sri Justice B.Sudershan Reddy)

The impugned order passed by the learned single Judge does not suffer from any legal infirmity. The learned Judge having noticed the fact that the sand quarry lease that was granted to the appellant herein for a period of one year commencing from 06.02.2003 comes to an end by 05.02.2004. The lease deed, however, contains an option that the same can be renewed for a period of one year on the expiry of the first year's lease period. It is a different matter altogether that during the subsistence of lease between 06.02.2003 to 05.02.2004, the appellant could not quarry the sand for a period of about three months. But the fact remains that the first year's lease came to an end by 05.02.2004. The appellant, if he is so interested, is bound to comply with the conditions for obtaining renewal of the lease for another year. That is what the impugned Order dated 26.08.2004 insisted upon.

2. We do not find any infirmity in the impugned Order dated 26.08.2004 issued by the District Panchayat Officer, Karimnagar.

3. However, having regard to the facts and circumstances of the case, we consider it appropriate to extend the time for deposit of the amounts as desired by the District Panchayat Officer vide his impugned proceedings dated 26.08.2004 by another two weeks from today. The amounts to be so deposited by the appellant herein within two weeks shall be accepted by the District Panchayat Officer and the lease shall accordingly be renewed in favour of the appellant.

(B.SUDERSHAN REDDY, J)

Dated: 11.10.2004

(K.C.BHANU, J)

gs/msv

Note: Furnish CC by tomorrow
(B/o)
gs

To

1. The Principal District Judge, Karimnagar

2. The District Collector, Panchayat, Karimnagar District
3. The District Panchayat Officer, Karimnagar, Karimnagar District

4. The GP for Panchayat Raj & Rural Development

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